United Nations A/63/281–S/2008/431

General Assembly
Security Council

Distr.: General
13 August 2008
English
Original: Spanish

General Assembly
Sixty-third session
Items 66, 67, 81 and 101 of the provisional agenda*

Right of peoples to self-determination

Promotion and protection of human rights

The rule of law at the national and international levels

Measures to eliminate international terrorism

Security Council
Sixty-third year

Letter dated 30 June 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement delivered at a press conference by the Minister for Foreign Affairs of the Republic of Cuba, Mr. Felipe Pérez Roque, on 22 May 2008 (see annex). The press conference drew attention to the murky relations between anti-Cuban terrorism in Miami, United States diplomats accredited to Havana, and mercenary groups active in our country.

Some days before that press conference, the Government of Cuba had made a complaint about the scandalous conduct of United States diplomats accredited to Havana, and in particular of the Chief of Mission of the United States Interests Section, Michael E. Parmly. The diplomats had facilitated contact and financial transfers between the terrorist Santiago Álvarez and mercenary groups active inside Cuba in the service of the United States Government. Their aim was to subvert the legitimately established constitutional order of Cuba, making a mockery of the Cuban people's right to self-determination.

The United States Government has thus far not denied the charges and has avoided commenting on the illegal conduct of its staff, who were caught in the act. They were, plainly and simply the messengers of a terrorist who, moreover, is serving a prison sentence in the United States.

The complaint made by Cuba provides detailed evidence and documentation showing that diplomats at the United States Interests Section in Havana were involved in transferring money from the notorious terrorist Santiago Álvarez to mercenaries in Cuba, and indeed acted as lenders in those transactions.

* A/63/150.

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Another serious element that came to light was the fact that in return for the money received from the terrorist Santiago Álvarez through the United States diplomats, the mercenaries in Cuba provided assistance to Álvarez in having his prison sentence reduced. Álvarez was then on trial for possessing a weapons arsenal intended for violent action against Cuba. As part of his defence, the mercenaries sent documents from Havana which helped the terrorist to present himself as a purported benefactor of the cause of human rights.

Cuba considers it a matter of the utmost gravity that United States diplomats in Havana have conspired with Cuban-based mercenaries in the service of the United States, and acted together with a Florida State judge and with defence lawyers to reduce the sentence of the terrorist Santiago Álvarez, making use of a document drafted and transmitted through the United States Interests Section in Cuba and its communication channels.

As stated in the attached document, it must be stressed that such actions are a violation not only of Cuban and United States law, but also the conventions and rules of international law. Cuba insists that the United States Government conduct a thorough investigation into these serious actions, and hopes that the results of the investigation will be made public.

In that regard, I should be grateful if you would have the present letter and its annex circulated as documents of the General Assembly under items 66, 67, 81 and 101 of the provisional agenda, and as documents of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador, Permanent Representative of Cuba

Annex to the letter dated 30 June 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Press conference held at the Ministry of Foreign Affairs of the Republic of Cuba on 22 May 2008 by His Excellency Mr. Felipe Pérez Roque, Minister for Foreign Affairs, to the national and international press

I have invited you here today to call on the President of the United States, the Secretary of State Condoleezza Rice and the Government of the United States to give answers and to stop avoiding the questions still hanging in the air about the revelations made public regarding the murky relations between the anti-Cuban terrorism in Miami, the United States diplomats accredited to Havana and the United States mercenaries active inside our country.

I have called you here to reiterate Cuba's request, which the President, the Secretary of State and the Government of the United States must answer. We have a right to know. You, journalists, public opinion, the people of Cuba and the people of the United States deserve to know about the murky plot that has not yet been fully brought to light, concerning the astonishing connections about which so much information has been made public in recent days.

We call on the President of the United States, on the Secretary of State and on the United States Government to stop avoiding the issue, to stop making excuses, to stop keeping silent, to stop hiding. We call on them to face up to and answer the serious accusations that have been made. I have also invited you here in order to respond to the farcical performance of the President of the United States yesterday in the White House.

Three days ago we denounced the scandalous conduct of United States diplomats here in Havana, and in particular of the Chief of Mission of the United States Interests Section, in facilitating contact and financial transfers between the terrorist Santiago Álvarez and mercenary groups inside Cuba.

The United States Government has thus far not denied the charges, and has avoided commenting on the illegal conduct of its staff, who were caught in the act, serving, plainly and simply, as the messengers of a terrorist who, moreover, is serving a prison sentence in the United States.

Let us recall the answers given by Mr. McCormack, the State Department Spokesman, when asked about the issue.

He was asked directly, "Is there any policy that prevents U.S. diplomats from being a means of delivering cash to those who may be dissidents in Cuba?" The question was whether there was any policy preventing those activities. He answered, "I'm not aware of the mechanics or the regulations that guide it."

The journalist asked him again, "The accusation from the Cubans is that the head of the Interests Section has been delivering cash from private U.S. groups" — the term "private groups" being used here for a violent, terrorist group, for a man imprisoned in the United States — "from private U.S. groups to the political opposition" — the term "political opposition" referring to what we have seen over

the last few days, to greedy mercenaries squabbling among themselves. When it was put to him that according to Cuba, the Chief of Mission of the Interests Section was involved in the matter, the Spokesman answered, "I don't know the specifics of this. I am not aware of the mechanics."

He is asked again, "But (...) the head of the Interests Section, can he go ahead and wire money or send money?" He answers, "Look, I can't — you know, I'm not here to talk about the specific mechanics of this. I'm sure we can find some expert."

Then a journalist says to him, "You're kind of here to answer the questions we have." In short, if you are not here to answer questions, then why are you here?

Those were the evasive, incoherent answers given by the official, authorized State Department Spokesman.

As you will understand, we were very amused as we watched the scene unfold.

The Assistant Secretary of State for Western Hemisphere Affairs, Mr. Thomas Shannon, was subsequently asked about the issue and said, "The United States has a well-known policy of assistance to the Cuban people (...). And we will continue that practice and policy."

We are back to square one. Are such practices authorized or not? Does the United States Government support or oppose them?

The Assistant Secretary of State has only evasive answers and stock phrases to offer, which tell us nothing new. However, in addition to evading the issue, those answers show a brutal cynicism. To say that there is "a well-known policy of assistance to the Cuban people", while speaking on behalf of a Government that has intensified the policy of embargo and persecution of the Cuban people to schizophrenic levels, in an attempt to smother us and kill us off through hunger and disease, is pure callousness. Nor does it answer the question.

Next came the United States Interests Section, which did not show up but issued and disseminated a statement which, as was to be expected, was sent from Washington, D.C. What points emerge from the statement of the Interests Section, which did not show up?

It said that the Interests Section allowed private United States organizations to "do so as well". I assume it meant that to "do so as well" referred to something that the Chief of Mission had already done. It also stated that "The assistance has no political purpose, but is intended to address the day-to-day needs of families who are struggling to survive in the current system."

That much was said by the Interests Section.

It appears to us that a full answer has not yet been provided to these very serious accusations. We should therefore like to stress once again the gravity of the situation. We insist on the need for a public appearance and an answer to public opinion.

The United States Government has acted cynically. Under the laws and regulations of its embargo, it deprives Cubans resident in the United States of the right to send remittances to relatives in Cuba. Yet that same Government has, through its diplomatic representatives, acted as an intermediary for terrorists such as Santiago Álvarez and his accomplices to send money to Cuba. That money was

intended not for their families but for mercenaries, in order to promote subversion in Cuba and to bolster a policy of embargo and aggression against our country. Such action has nothing to do with humanitarian aid: the money is intended to pay for the services of agents and mercenaries.

It is the height of cynicism that the very same diplomats who supervise the policies preventing Cubans in the United States from sending remittances, economic assistance, to their families in Cuba, should also act as couriers, emissaries channelling funds to mercenary groups in Cuba. This is a truly remarkable event in the annals of Cuban diplomatic history.

It has thus far been clear that the United States Government is unable to respond seriously to the allegation. We should therefore like to reiterate clearly the events that we exposed this week, which are of the utmost gravity.

Three key elements stand out from the many facts that have been made public. First, diplomats at the United States Interests Section helped send funds from the notorious terrorist Santiago Álvarez, who is based in the United States and was arrested there. Those funds were directed to mercenaries active inside Cuba on behalf of United States policy. Indeed, the diplomats also acted as moneylenders in a tight situation: the Chief of Mission advanced some funds to cover the mercenaries' expenses, in order then to recover them from Santiago Álvarez. That much is a fact.

The second fact, which is also very serious, is the assistance provided by the mercenaries to Álvarez, in return for the funds received from him though the diplomats, or to put it another way, to repay him for funds received. Álvarez had been arrested in the United States, and was standing trial there for possessing a weapons arsenal intended for violent actions against Cuba. The mercenaries helped him to obtain a reduced sentence by providing him with documents sent from Havana, which allowed the terrorist to portray himself as a benefactor of the cause of human rights, as someone who supports groups in Cuba that struggle for human rights. This allowed him to obtain a reduced sentence.

We therefore have a case where Cuban mercenaries based in Cuba facilitate documentation, through the United States Interests Section, for use in the trial of a terrorist accused of possessing an arsenal of weapons intended for operations against Cuba, as a means of enabling him to obtain a shorter sentence. A situation of the utmost gravity.

It seems to me that we need to focus in particular on the content of two documents presented this week. The first is a message from Carmen Machado to Martha Beatriz Roque, in which Carmen Machado — a close associate of the terrorist Santiago Álvarez — writes as follows:

"I wanted to ask you a big favour" — this is addressed to Martha Beatriz Roque. "If you can't manage it, don't be embarrassed and don't worry because our Friend" — Santiago Álvarez — "will understand. I need a letter from you — signed by you — explaining the relationship that we have had with the Fundación Rescate Jurídica and stating that you knew that the main contributor" — to that support and that relationship — "was Santiago Álvarez. We need a letter where you state this."

"The letter would be addressed to Judge James Cohn" — the judge who is hearing this man's case. "This judge is the one who will have the last word on the length of our Friend's sentence and the person who can cut the sentence to what he

was promised." Santiago Álvarez has been promised a reduction in his sentence, and for that to happen, the judge needs to be given a letter saying that Santiago was helping the mercenary groups here in Cuba that — according to the United States Government — are fighting for human rights. "This letter would only be seen by our" — the terrorist's — "lawyers", she said, "and by Judge Cohn." The prosecutor, representing the State, would neither have access to nor see the letter.

In other words, Cuban mercenaries write a letter to help a defendant obtain a shorter sentence; the United States Interests Section in Havana helps them in this, and they conspire against the prosecutor, who in turn represents the State, to ensure that it does not know about the letter, which can only be seen by the judge and the defence lawyers. "The help that we have given to you and other relatives of political prisoners (Biscet) and those we have still to help. That would give him legitimacy in his" — Santiago's — "trial."

"If you can do this, I would be eternally grateful." They make this request. And Martha Beatriz Roque and other mercenaries in Cuba write the letter and send it.

There then appears another document in which Martha Beatriz Roque says the following to Carmen Machado:

"I have to tell you that there is a major problem with the document that I prepared and sent to you regarding the money received." Received from whom? From Santiago Álvarez. "The young woman at the Roosevelt Centre" — there in the United States Interests Section — "lost the original with my signature. As you can imagine, if she works in the United States Interests Section, she also works for State Security" — I don't know why she made this association or this accusation against the young woman who works in the Roosevelt Centre. "I informed Michael Parmly of this," the mercenary said, "and they agreed that they would see what they could do" — to find the original of the letter that had been lost. The copy has been used there, but the original cannot now be found. "It is a major problem, since State Security is bound to produce the original document on the 'Mesa Redonda' television programme or in a book." She continued: "I wanted you to know this and to tell my friend, of whom I am also proud." Because he had sent her a message to say that he was proud to see how she was fighting to have his sentence reduced.

I want to stress the seriousness of this matter: United States diplomats in Havana have conspired with mercenaries working for the United States here in Cuba to obtain, in conjunction with a judge in Florida and the defence lawyers, a reduction in the sentence handed down to the terrorist Santiago Álvarez, by means of a document produced and sent through the United States Interests Section and its communication channels.

I believe, therefore, that the United States Government needs to respond to this new axis linking terrorists of Cuban origin in Miami, United States diplomats and United States mercenary groups in Cuba; this axis that moves money around, conspires against justice and works to promote subversive activity against Cuba. This is a second element; Cuba expects the United States Government to investigate thoroughly this serious matter, and Cuba expects the results of the investigation to be made public. We have the right to know.

There is a third element which has come to light this week. I have already mentioned the first, the involvement of United States diplomats in moving money

around between terrorist and mercenary groups in Cuba, and the second, the involvement of those same diplomats in a conspiracy to help obtain a shorter sentence for a detained terrorist. The third is the illegal activity of the United States Interests Section in Havana, which encourages, funds, organizes, manages and monitors in detail — in real detail, remember that comment "CNN, wow!", in other words, right down to the detail of the coverage being given to who they are and what they do — it monitors, manages, funds and organizes the provocative activities carried out by mercenary groups in Cuba to destabilize public order in our country. These are three very serious elements involving United States diplomatic personnel in Havana.

Also irrefutably demonstrated, I believe, is the mercenary nature of these so-called dissident groups, their willingness to sell out to foreign paymasters, how they receive guidance and money now not just from the United States Government but even from terrorist groups, from anyone in fact who is prepared to put up the money.

I want to stress that these activities are in breach of Cuban laws, in breach of United States laws and in breach of the conventions and rules of international law.

What would happen if Martha Beatriz Roque, or the mercenaries who have been talked about in recent days, lived in the United States and were accused of receiving money from a terrorist group acting against the United States through Cuban or other foreign diplomats? What would have happened if they were found out and tried in the United States for receiving money from terrorist groups that wanted to act against the United States? What does United States law provide? What was it that President Bush said? "If anybody harbours a terrorist, they're a terrorist. If they fund a terrorist, they're a terrorist." Wasn't that what he said?

We therefore now ask: What does the United States Government know about all this intrigue? What does the Secretary of State know? What does she have to say? Did she know that her diplomats were acting in this way in Havana? Now that she does know, what does she think? Does she approve of her diplomats acting as couriers? Does she support Mr. Parmly in his activities as a courier and go-between, delivering money from terrorist groups to mercenary groups in Cuba? What do they have to say? What does the United States Government say? It had better say something.

Does it oppose and condemn these acts, or is it covering them up, condoning them and supporting them? What does the United States Government say? What has it investigated? What does it have to say about this new axis linking terrorist groups, United States diplomats and mercenary groups? We call on the United States Government to drop its evasive, incoherent language and to address seriously matters of a gravity that cannot be played down or disguised.

That is the main thrust of my message today. The United States Government must speak, it must say whether it agrees with these actions, which are crimes under United States and Cuban law and in breach of international law, or whether it will investigate them.

For one thing, the illegal actions of the United States Interests Section in Havana are in breach of the bilateral agreement between the Governments of Cuba and the United States that gave rise to the creation of the interests sections. According to this agreement, dating from 30 May 1977, the interests sections were

established to facilitate communications between the two Governments and to carry on routine diplomatic and consular functions, in respect of which the two parties, the Governments of the United States and Cuba, reaffirmed their commitment to the provisions of the international treaties that govern diplomatic and consular relations. They thereby reaffirmed the content of those treaties.

What does the 1961 Vienna Convention on Diplomatic Relations — the key document here — have to say? It states that "the functions of a diplomatic mission consist inter alia in: representing the sending State in the receiving State; protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law; negotiating with the Government of the receiving State". In other words, the usual diplomatic functions, of which we are well aware. It also says that "promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations" is a duty and a function of diplomatic missions.

The United States Interests Section in Havana is attached to the Embassy of Switzerland in Cuba and all this is also a breach of and an offence against Swiss diplomacy, since the Swiss Embassy agreed to represent the interests of the United States in Cuba and ours in the United States and is therefore also placed in an extremely embarrassing situation.

I have described the functions of a diplomatic mission. Nowhere is it accepted that these functions include funding, lending money to, acting as a courier for, managing or organizing political groups that oppose the Government to which the mission is accredited; all these are violations.

Moreover, Article 41, paragraph 1 of the Vienna Convention states that "Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State", without prejudice to their privileges. I repeat, they have a duty not to interfere in internal affairs and to respect the laws and regulations of the receiving State. Article 41 also stipulates that: "The premises of the mission must not be used in any manner incompatible with the functions of the mission."

Turning the United States Interests Section into a headquarters and its premises into a convention centre for mercenary groups to carry out activities or plan conspiracies is in total breach of the Vienna Convention, and the United States Government knows it; an accredited diplomatic mission in the United States would not be allowed to act in this way. We therefore call on the United States Government to respond, to stop hiding, to show its face and explain to the public what it has to say about these serious and well-proven facts.

What is more, in the middle of this situation, the United States Interests Section yesterday staged and orchestrated a fresh provocation against Cuba. It organized a meeting at the residence of one of its officials at 7th Avenue, 24th Street in Miramar, a house which, as I have already mentioned, has become a kind of convention centre for the counter-revolution in Cuba and for the United States-based mercenary groups. It organized a spectacle there with all these people, some of whom have been completely unmasked in the last few days, for nothing more and nothing less than to listen to the speech given by President Bush. Right in the middle of this situation, as if what had already been said and discussed was not

enough. There they went to listen to the speech, to applaud, to rant and rave. Some said that they were really moved to see the President on television, that it was a truly enriching experience for them. That is what they said, which gives an idea of how some of these people have sold out to foreign interests.

So, there they went, they clapped, they thought that everything was great and they listened to President Bush's speech.

As regards that speech by President Bush and that whole spectacle at the White House, I have to say that it was a pathetic show, an irrelevant and cynical speech, a ridiculous act of propaganda in poor taste. That is all I have to say about yesterday, because really it must be acknowledged that President Bush is a spent force, a departing president, packing his bags before leaving for his Texas ranch, discredited, a politician who has been overwhelmingly rejected by his own country.

President Bush is less popular now than President Nixon was in the throes of the Watergate scandal when he was about to be forced out of office, which is quite a record, as has already been said. The American people are ashamed of him, the Republican Party candidates and those of his religious faith do not want to be seen in public with him and do not want his support, because that would affect their electoral prospects; he is a pariah, a man shunned by all. That is the reality of the matter. That is the current President of the United States, who is stepping down and leaving the Presidency, after having ordered illegal invasions, the killing of hundreds of thousands of civilians, torture, illegal flights and kidnappings; who appeared in public defending the use of torture; in other words, a man who followed a policy solely to serve his buddies, the powerful interests of the oil lobby and other American power groups.

That is the departing president. What is he leaving behind? What is his legacy? Well, yesterday, that spectacle put on for the usual audience, one of the few groups that still applaud him in the United States, the Miami-based Cuban mafia, which is a minority section of the Cuban community in the United States. He has nothing else to do, that was just a show, nobody pays him any attention. The election campaign is going on without him, people avoid him, if he shows up in one place, the Republican candidates head in the opposite direction, they want nothing to do with him, he has a bad effect on them, he gives them bad vibes. That is the man we see, irrelevant, regarded by everyone with a mixture of derision and disgust. That is the truth, that is the man before us. He stands there, threatens Cuba, utters four incoherent phrases, tries to say three phrases in Spanish. That is the pathetic, mediocre show we witnessed.

That is our opinion of his words.

But there is one matter that I must underline, because President Bush did something yesterday, in yesterday's speech, in the middle of that whole mediocre farce, which was to place a Miami singer on the same level as José Martí, to pay tribute to a Miami singer and to liken him to Cuba's national hero, José Martí; to do this in Washington, two days after the anniversary of the death in glorious battle of José Martí is a grave offence against the dignity of the Cuban people, which we condemn and reject in the name of that people. The Cuban people will never forget so serious an affront.

That is what we have to say, that is our reaction to these events and to yesterday's public appearance by the President of the United States.